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Economic and Social Council

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Committee on Economic, Social and Cultural Rights

List of issues in relation to the third periodic report of Estonia*

I. General information

1. Please provide information on the availability of effective remedies for individuals claiming a violation of their rights under the Covenant. Please also provide information on the number of cases in which the Covenant has been invoked before or applied by domestic courts and examples thereof. Please further provide detailed information on the extent and impact of the training programmes for legal professionals and judges on the scope of economic, social and cultural rights.

2. Please provide information on concrete steps, including legislative amendments, taken to strengthen the independence and effectiveness of the Office of the Chancellor of Justice in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Maximum available resources (art. 2 (1))

3. Please provide information on the evolution, over the past 10 years, of:

(a) The proportion of people below the poverty line, and the levels of inequality, defined as the ratio between total income accruing to the richest decile of the population and the total income of the poorest 40 per cent of the population;

(b) The proportion of the public revenue that is generated through taxes;

(c) The rates of taxes levied on corporate profits and on personal income, the value added tax rate (exclusive of the value added tax on luxury items, tobacco, alcohol, sugary drinks or snacks and gasoline), and the percentage of total revenue that is generated from personal income taxes collected from the richest decile of the population;

(d) Public expenses as a percentage of gross domestic product and, within total public expenses, the proportion of the public budget that is allocated to social spending (education, social security, food, health, water and sanitation and housing);

(e) Inflation-adjusted absolute levels of social spending.

* Adopted by the pre-sessional working group at its sixty-second session (3–6 April 2018).

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4. Please provide information on the steps taken to prevent and combat corruption at all levels of public governance and in the corporate sector. Please indicate the measures put in place to protect whistle-blowers and to ensure the protection of and remedies for victims of corruption.

Non-discrimination (art. 2 (2))

5. Please provide information on the progress made in amending the Equal Treatment Act to ensure that discrimination is prohibited on all grounds, and with regard to all economic, social and cultural rights (see E/C.12/EST/3, para. 40), in compliance with article 2 (2) of the Covenant, also taking into account the Committee's general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.

6. Please provide detailed information on the number and nature of the complaints dealt with by the Gender Equality and Equal Treatment Commissioner and their outcomes. Please also provide information on the discrimination cases brought to court, including the number of cases and prosecutions, and on the sentences imposed on those involved in discrimination disputes. Please further provide information on the results of strategic litigation in discrimination disputes (see E/C.12/EST/3, paras. 42–43).

7. Please provide information on the status of draft bill 472 SE and on the steps taken, if any, to address concerns that the draft contains a proposal that would extend the grounds for revocation of refugee status and derogation from the principle of non-refoulement in respect of those who are considered a danger to the community of Estonia. Please also provide information on the conditions for asylum seekers in detention facilities, including access to health care, education and other basic services, and on the availability of interpreters placed in each detention facility and their working languages. Please clarify whether free legal aid is available to asylum seekers when they apply for refugee status, and provide information on the number of applications for free legal aid filed by asylum seekers and the number of those applications granted by each administrative court.

8. Please provide information on the steps taken to address the legislative gaps not filled by the amendments to the Citizenship Act 2015 with regard to granting Estonian citizenship to stateless persons, particularly in respect of children who were between 15 and 18 years of age on 1 January 2016, children whose parents have not been legally residing in the country and children who cannot acquire their parents' citizenship. Please also provide, for the years covered in the reporting period, annual statistical data, disaggregated by age (below 15 years, 15 to 18 years, 18 to 65 years and 65 years and above), sex and ethnic origin, on the number of (a) stateless persons in the State party, (b) stateless persons who applied for Estonian citizenship and (c) persons granted citizenship. Please further provide information on the legislative and practical measures taken to facilitate the acquisition of Estonian citizenship by stateless persons, as well as information on the length of the procedure.

Equal rights of men and women (art. 3)

9. Please provide information on the outcome of the survey, commissioned by the Gender Equality Council in 2015, on the implementation of the Gender Equality Act and the actions taken thereupon (see E/C.12/EST/3, para. 46). Please also provide information on the steps taken to increase the level of resources allocated to, and the annual budget for, the promotion of gender equality during the reporting period.

10. Please provide information on the measures, including temporary special measures, taken to improve women's representation in decision-making positions in the public and private sectors, and include statistical data on the proportion of women in decision-making positions in the public sector, including local parliaments, the judiciary and senior positions in the central Government and local governments, and in the private sector.

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Right to work (art. 6)

11. Please provide information on the concrete steps taken to ensure that vocational education and training meet the requirements of the labour market and to enhance the employability of persons with limited education and skills. Please also provide information on the measures taken to further facilitate the employment of non-Estonians and the impact thereof. Please further provide information on the impact of the revised Employment Contracts Act of 2009, which introduced flexibility in employment relations.

Right to just and favourable conditions of work (art. 7)

12. Please provide information on the concrete steps taken to ensure that the minimum wage provides workers and their families with a decent standard of living, particularly in the light of the proposal to increase it to at least 45 per cent of the average wage (see E/C.12/EST/3, para. 81). Please also provide detailed information on labour inspections in this regard, including on the rate of non-compliance and on the penalties imposed on employers who failed to pay the minimum wage.

13. Please indicate the impact of the measures taken, including the action plan for reducing the gender pay gap (see E/C.12/EST/3, para. 45), to address gender inequality in employment, such as the persistent gender pay gap, insufficient compliance with the principle of equal pay for work of equal value, and vertical and horizontal gender segregation in employment. Please also provide information on the measures taken to support women with young children in reintegrating into the labour market.

14. Please provide information on the protection of occupational safety and health in the State party, particularly in the high-risk sectors, such as the wood processing and agricultural sectors, including annual statistical data on the occupational accidents and occupational diseases that occurred during the reporting period. Please also provide information on the labour inspections carried out and complaints made by workers to the relevant authorities, including the number of inspections and complaints and the results thereof, the main areas of concern and the legislative and policy measures taken to address systematic issues.

Trade union rights (art. 8)

15. Please clarify how section 21 (3) and (4) of the Collective Labour Dispute Resolution Act is applied in practice and provide the list, established by the Government pursuant to section 21 (4) of the Act, of enterprises and institutions that have been set up to "satisfy the primary needs of the population and economy". Please also provide information on the current status of the bill on collective bargaining and collective labour dispute resolution.

Right to social security (art. 9)

16. Please provide information on the old-age pension scheme of the State party (the State pension insurance, the compulsory funded pension scheme and voluntary private pensions), including the take-up rate of the State pension insurance and the coverage of the compulsory funded pension and voluntary private pensions. Please also clarify whether the compulsory funded pension scheme covers persons working in the informal economy and self-employed workers. Please further provide information on the steps taken to ensure that these pensions provide older persons, particularly those who live solely on the State pension, with a decent standard of living.

17. Please provide detailed information on the implementation of work capacity reform (see E/C.12/EST/3, paras. 93–95), including on the number of persons covered by the work capacity allowance and the amount of benefits, at different levels of capacity, in comparison with the previous pension for incapacity for work. Please also indicate any positive impact the reform has had. Please further provide information on the steps taken to

ensure that unemployment benefits, particularly the minimum level of the unemployment allowance, are sufficient to enable the unemployed and their families to enjoy a decent standard of living.

Protection of the family and children (art. 10)

18. Please provide information on the steps taken to adopt comprehensive legislative and policy frameworks to prevent and combat domestic violence. Please also provide information on the cases of domestic violence recorded during the reporting period, including the number of cases investigated, prosecuted and resulting in convictions; the punishment imposed on perpetrators; and the restraining orders issued by courts. Please further provide information on the support provided for victims.

19. Please provide information on the steps taken to provide protection for children working outside the framework of a formal labour relationship. Please also provide statistical data, disaggregated by age and sex, on the number of working children. Please further provide information on labour inspections carried out during the reporting period in relation to child labour, including the number of inspections carried out, and on cases of non-compliance, main areas of non-compliance and penalties imposed on employers in the event of non-compliance.

Right to an adequate standard of living (art. 11)

20. Please provide information, including with respect to their impact, on the measures taken to address the high incidence of poverty, particularly among the unemployed, families with an elderly member or many children, households headed by a single parent, and ethnic minorities (see E/C.12/EST/3, paras. 137–138). In this context, please also provide information on the implementation of the Welfare Development Plan 2016–2023 and its impact to date. Please explain how effectively the social security benefits of the State party have contributed to reducing poverty.

21. Please describe the impact of the measures taken to increase the provision of adequate housing units, including social housing units, particularly for disadvantaged and marginalized individuals and groups, and include statistical data on the number of social housing units provided, the number of applications submitted for social housing and the number of units granted. In this context, please provide information on the outcome of the Estonian housing development plan. Please also provide information on the framework legislation governing evictions and on the circumstances in which evictions can be conducted without court decisions (see E/C.12/EST/CO/2, para. 22). Please further provide information on homelessness, including disaggregated statistical data on the number of homeless persons.

22. Please provide information on the steps taken to improve access to safe public water supplies and to address regional disparities in this regard. Please also provide information on the progress made in maintaining the level of fluoride and boron in the water supply systems below the permitted limits. Please further provide information on the result of the health risk assessment concerning the radioactivity of the drinking water in the Cumbrian-Vendian aquifer system in western and northern Estonia (see E/C.12/EST/3, para. 165).

Right to physical and mental health (art. 12)

23. Please provide information on sexual and reproductive health education and services provided to the public in general and to adolescents in particular. Please also provide information on the steps taken to support pregnant adolescents in continuing their education, and include statistical data, covering the reporting period, on the number of: teenage pregnancies, abortions carried out among adolescents, and girls who left school due to pregnancy. Please further provide information on the availability and accessibility of contraceptives among all women, in particular women in rural areas and women with disabilities. Please also provide information on whether assisted reproductive technologies are available to all without discrimination.

24. Please provide information on the mental health-care system in the State party. Please also provide information on the implementation of the Mental Health Strategy for 2016–2025, including the achievements made and challenges faced to date. Please further provide information on preventive measures taken to reduce the high rates of suicide in the State party during the reporting period.

25. Please provide detailed information on the results of the White Paper on drug prevention policy, especially against the performance indicators listed in the White Paper. Please provide information on the gender-specific interventions targeting women drug users, particularly those who are pregnant or have children, and on the support provided for them, including rehabilitation facilities. Please also provide information, including relevant statistical data disaggregated by sex, on the extent to which drug treatments, such as opioid substitution therapies, are available and affordable to, and accessible by, all persons in need. Please further provide information, including relevant statistical data, on the extent to which steps have been taken to tackle the high prevalence of HIV infection, particularly among persons who inject drugs, and on the availability and accessibility of antiretroviral treatments in the State party.

Right to education (arts. 13 and 14)

26. Please provide information on the measures taken to address the steadily decreasing net enrolment rate at the primary education level (down from 97.38 per cent in 2011 to 93.33 per cent in 2015). Please also provide information on the main reasons behind the low proportion of enrolment of male students at the tertiary education level (57.62 per cent in 2015), in comparison with that of girls (87.38 per cent in 2015), and the steps taken to address the situation. Please further provide information on the measures taken to reduce the number of students dropping out of school, particularly those at vocational education schools, and updated data on the enrolment and dropout rates at the various levels of education.

27. Please provide information on the measures taken to promote bilingual and multicultural education in schools. Please also provide information on the number of schools, at each level of education, in which the language of instruction is not Estonian, and on the number of students enrolled in those schools.

Cultural rights (art. 15)

28. Please provide information on the conditions and procedures provided for in the National Minorities Cultural Autonomy Act to ensure cultural autonomy and on the benefits and privileges granted to groups recognized as a national minority. Please also provide information on the measures taken to ensure that adequate status is granted to minority languages.

29. Please provide information on the legislative framework for scientific research in place, in particular with regard to ensuring, in accordance with article 15 of the Covenant, that all individuals enjoy the benefits of scientific progress, including in areas such as human embryonic stem cell research.